

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ALBERT WILLIAM BLEAU, JR.,

Plaintiff

V.

BRIDGEWELL, INC.,

Defendant

CIVIL ACTION
NO. 04-10469-WGY

**DEFENDANT’S OPPOSITION TO PLAINTIFF’S MOTION FOR RECONSIDERATION
OF COURT’S DECEMBER 4, 2006 ORDER**

The defendant, Bridgewell, Inc. (“Bridgewell”), hereby opposes the plaintiff’s Motion for Reconsideration of the Court’s Order of December 4, 2006 Denying Plaintiff’s Motion to Delay the Trial and to Order a Joint Discovery Plan. In opposition, Bridgewell states that the plaintiff’s Motion for Reconsideration fails to put forth any persuasive reason why the trial in this matter should be delayed any further or why his already-completed deposition should somehow be nullified. In further support of this Opposition, Bridgewell states as follows:

1. In his Motion for Reconsideration, the plaintiff asserts that the Affidavit of Martena Fallon constitutes “new information not readily available to the plaintiff when plaintiff filed his motions on November 29, 2006.” *Motion for Reconsideration, P. 1 (Docket No. 149)*. The plaintiff does not seek to explain what new information is included in the affidavit or why it was unavailable before. Any attempt by the plaintiff to explain would be futile as the plaintiff filed a similar Affidavit of Martina Fallon on April 21, 2005, over a year and a half ago (*Docket No. 54*).

2. Given that his deposition was already held on December 13, the issue as to whether his deposition should be postponed is now moot.

3. Also, although the plaintiff claims he is trying to obtain counsel, the fact remains he has not retained any counsel even though this case has been pending for close to three years. Moreover, this is not the first time the plaintiff has claimed an intent to hire counsel. *See Plaintiff's Letter to Jennifer Hollingsworth, Massachusetts Attorney General's Office, Criminal Division, dated May 10, 2001 (Docket No. 146, Part 2), filed on December 4, 2006 (in letter to criminal investigator of Attorney General's Office, plaintiff stated, "I am retaining counsel and will only meet with you in the future in the presence of counsel")*.

4. The plaintiff's claim of his upcoming trip to Finland is not new and was asserted by him in his initial Motion to Delay Trial (Docket No. 142), filed on November 29.

5. Despite being on notice of the March trial since the scheduling conference on November 6, the plaintiff has failed to notice any deposition.

WHEREFORE, Bridgewell respectfully requests that this Court deny the Plaintiff's Motion for Reconsideration (Docket No. 149).

Respectfully submitted,

The Defendant,

BRIDGEWELL, INC.,
By its attorneys,

/s/ William T. Harrington
William T. Harrington (BBO No 564445)
Glynn, Landry, Harrington, & Rice, LLP
10 Forbes Road, Suite 270
Braintree, MA 02184
(781) 356-1749

/s/ Edward P. Harrington

Edward P. Harrington
8 Winter Street, 12th Floor
Boston, MA 02108
(617) 423-5959

CERTIFICATE OF SERVICE

I hereby certify that, on December 18, 2006, I filed this document with the Court electronically via the Court's CM/ECF system and that I served a copy of this document upon the pro se plaintiff both by first class mail and by e-mail.

/s/ William T. Harrington

William T. Harrington